

REMARKS

This is a complete response to the outstanding Advisory Action mailed on November 23, 2007. Claim 8 has been amended and claims 9 and 10 have been added herein. Support for new claims and amended claims may be found in, for example, original claims 1-8 and Figures 3. No new matter has been added. Claims 1-10 remain pending in the present application.

I. Response to Claim Rejections Based on Anticipation

In the Office Action, claims 1-8 have been preliminarily rejected as being anticipated under 35 U.S.C. § 102. Specifically claims 1-8 have been preliminarily rejected under 35 U.S.C. § 102(b) by DE 4339508 (hereinafter, "DE '508"). Applicant references the Examiner to the U.S. counter-part, U.S. 5,673,345, of DE '508. The Office Action references "bevel 15" as disclosing the circulatory embossings. However, '508 does not disclose any additional embossings that that would limit the impression depth when pressed during the welding process.

The Office has asserted that the spur gear (element 13 of '508) limits the impression depth and maintains a spaced distance from circulatory embossings and its complimentary

recess. Applicant submits that a spur gear as disclosed in reference '508 is on the contrary supposed to interact with a corresponding internal ring gear 20 of a third component part 20. Thus, the spur gear 13 can not delimit the impression depth of the circulatory embossing 15 into the recess 12 as finite amount of space would be required to allow for rotation of spur gear 13 and ring gear 20.

Even under the broadest reasonable interpretation reference '508 does not disclose limiting the impression depth and maintaining a spaced distance from circulatory embossings and its complimentary by design. The impression depth of the embossing 15 is solely limited by the conical shape of the embossing 15 as can e.g. be seen from the close ups in figure 4 and 5.

During the Examiner Interview on October 31, 2007, Examiner Kerns explained that the Office's rejection is based on a broad interpretation of "limit" to mean that theoretically the design allows space for the spur gear (element 13) and the rotation of the spur gear; thus the design limits the impression depth of the circulatory embossing 15. This is completely incorrect.

Reference '508 does not disclose, teach, or suggest a

change in impression depth based on space provided for the spur gear (element 13). Even if a wider spur gear or more space was intended for the spur gear, the '508 reference does not teach or suggest altering the impression depth of the circulatory embossing 15 to allow for additional space of the spur gear. Additionally, the '508 reference clearly does not disclose altering the impression depth of the circulatory embossing 15 to allow for additional space of the spur gear as required by the rejection. The Office has not provided any support for the assertion that the design of the intended width of the spur gear limits the impression depth. The '508 reference specifically displays, the impression depth of the embossing 15 is solely limited by the conical shape of the embossing 15 as can, e.g. be seen from the close ups in figures 4 and 5.

One skilled in the art would have modified the arc-shaped bent portion 11 to increase or decrease the design space of the spur gear space. One skilled in the art would not have considered modifying the impression depth of the circulatory embossing 15. The '508 reference does not disclose this therefore; the 102 rejection must be withdrawn. In addition, no support is provided or suggests one skilled in the art would

have considered modifying the impression depth of the circulatory embossing 15 to alter the designed space for the spur gear. The Office has not provided a response to any of these issues much less provided support contrary to Applicant's position. Therefore, for at least these reasons claims 1 and 8 overcomes the above 102 rejection.

In addition, the rejection and interpretation ignores the rest of the claim language and removes any context of the term "limit" in view of the rest of the claim language. Applicant's claim 1 recites, "one circulatory embossing...that can be pressed into the complimentary recess during a resistance welding process." Claim 1 then recites a clause referencing and specifically characterizing the above previous clause wherein, "additional embossings abutting the connection surface that limit the impression depth of the circulatory embossing of the one component into the recess of the other component". The claim language clearly states the additional embossings physically limiting the impression depth of the circulatory embossing during the pressing of the welding process. The claim language does not support the Office's broad definition of a theoretical limit of the design.

2-7 depend on independent claim 1, claims 2-7 contain all limitations of independent claim 1. Since independent claim 1 should be allowed, as argued herein, pending dependent claims 2-7 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q.2d 1596, 1608 (Fed. Cir. 1988).

III. Prior Art Made of Record

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.


CONCLUSION

In light of the foregoing amendments and comments and for at least the reasons set forth above, Applicant respectfully submits that all objections and rejections have been traversed, rendered moot and/or accommodated, and that presently pending claims 1- 10 are in condition for allowance. Applicant has responded to all of the Examiner's requests. Favorable reconsideration and allowance of the present application and the presently pending claims are hereby courteously requested. The examiner is invited to telephone the undersigned, Applicant's

attorney of record, to facilitate advancement of the present application.

Respectfully submitted,

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Date: 12/17/07